

Law Offices

HOLLAND & KNIGHT LLP

315 South Calhoun Street
Suite 600
P.O. Drawer 810 (ZIP 32302-0810)
Tallahassee, Florida 32301

850-224-7000
FAX 850-224-8832
www.hklaw.com

Annapolis	New York
Atlanta	Northern Virginia
Bethesda	Orlando
Boston	Portland
Bradenlon	Providence
Chicago	St. Petersburg
Fort Lauderdale	San Antonio
Jacksonville	San Francisco
Lakeland	Seattle
Los Angeles	Tampa
Melbourne	Washington, D.C.
Miami	West Palm Beach
International Offices:	São Paulo
Caracas*	Tel Aviv*
Helsinki	Tokyo
Mexico City	
Rio de Janeiro	* Representative Office

ORIGINAL

August 9, 2002

KAREN D. WALKER
850-425-5612

Internet Address:
kwalker@hklaw.com

VIA HAND DELIVERY

Blanca S. Bayo
Division of Commission Clerk and
Administrative Services
Florida Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

RECEIVED - FPSC
AUG - 9 PM 4: 26
COMMISSION
CLERK

Re: In Re: Application for Limited Proceeding to Recover Costs of Water System Improvements In Marion County By Sunshine Utilities of Central Florida, Inc., Docket No. 992015-WU

Dear Ms. Bayo:

Enclosed for filing on behalf of Sunshine Utilities of Central Florida, Inc. ("Sunshine") are the original and seven (7) copies each of:

1. Sunshine's Objections to, and Requests for Clarification of, Citizens' First Request for Production of Documents; and 08436-02
2. Sunshine's Objections to, and Requests for Clarification of, Citizens' First Set of Interrogatories. 08437-02

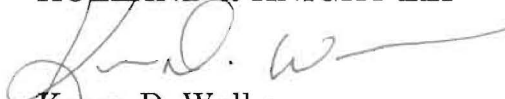
AUS	_____
CAF	_____
CMP	_____
COM	_____
CTR	_____
ECR	_____
GCL	_____
OPC	_____
MMS	_____
SEC	<u> 1 </u>
OTH	_____

Blanca Bayo
August 9, 2002
Page 2

For our records, please acknowledge your receipt of this filing on the enclosed copy of this letter. Thank you for your consideration.

Sincerely,

HOLLAND & KNIGHT LLP



Karen D. Walker

KDW:kjg
Enclosure

cc: Ralph Jaeger
Stephen C. Reilly

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for Limited)
Proceeding to Recover Costs of Water) Docket No. 992015-WU
System Improvements In Marion County)
By Sunshine Utilities of Central Florida,) Filed: August 9, 2002
Inc.)
_____ /

**SUNSHINE UTILITIES OF CENTRAL FLORIDA, INC.'S
OBJECTIONS TO, AND REQUESTS FOR CLARIFICATION OF,
CITIZENS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

Sunshine Utilities of Central Florida, Inc. ("Sunshine"), pursuant to Rule 28-106.206, Florida Administrative Code, Rule 1.350, Florida Rules of Civil Procedure, and the Order Establishing Procedure issued in this docket on June 20, 2002, hereby submits its objections to, and requests for clarification of, the Citizen of the State of Florida's (the "Citizens") First Request for Production of Documents.

Preliminary Nature of These Objections

The objections stated herein are preliminary in nature and are made at this time in accordance with Order No. PSC-02-0852-PCO-WU, the Order Establishing Procedure in this docket, which requires objections and requests for clarification to be made within ten days of service of a discovery request. Sunshine reserves the right to supplement or modify its objections up to the time that it serves its responses to Citizens' First Request for Production of Documents. Sunshine also reserves the right to file one or more motions for protective order with the Florida Public Service Commission (the "Commission") when it serves its responses on the Citizens.

DOCUMENT NUMBER: 141

08436 AUG-98

FPSC-COMMISSION CLERK

General Objections

1. Sunshine objects to each and every one of the requests for production to the extent that they call for the production of privileged information, including information protected by the attorney-client privilege, the work product doctrine, the accountant-client privilege, the trade secret privilege, or any other applicable privilege or protection afforded by law, whether such privilege or protection appears at the time the response is first made or is later determined to be applicable for any reason. Sunshine in no way intends to waive such privilege or protection.

2. Sunshine objects to producing any documents which contain proprietary confidential business information or other confidential information without provisions in place to protect the confidentiality of the information. Sunshine has not yet assembled and reviewed all documents called for in the requests. Thus, Sunshine cannot determine at this time which specific requests may call for the production of proprietary confidential business information. However, to the extent that Sunshine determines that any of the discovery requests would require the disclosure of confidential information, Sunshine will either file a motion for protective order requesting confidential classification and procedures for protection or take other actions to protect the confidentiality of the information requested. Sunshine in no way intends to waive claims of confidentiality.

3. Sunshine objects to the Citizens' First Request for Production of Documents to the extent that it calls for the creation of information, rather than the reporting of presently existing information, as purporting to expand Sunshine's obligation under the law.

4. Sunshine objects to the Citizens' First Request for Production of Documents to the extent that it purports to impose duties or obligations upon Sunshine that are different from or exceed those imposed upon Sunshine by the Florida Rules of Civil Procedure.

5. Sunshine objects to the Citizens' First Request for Production of Documents to the extent it seeks to require the production of information not in the possession, custody or control of Sunshine.

6. Sunshine objects to providing information to the extent that such information is already in the public record before the Commission and available to the Citizens through normal procedures.

7. Sunshine interprets all of the Citizens' requests as excluding documents filed with the Commission in this proceeding.

8. Sunshine incorporates by reference all of the foregoing objections into each of its specific objections set forth below as though stated therein.

Specific Objections and Requests for Clarification

Request for Production No. 1. Sunshine objects to this request because it calls for the production of confidential information. Sunshine, however,

is willing to produce the requested documents upon execution of an appropriate protective agreement. The Office of Public Counsel should contact counsel for Sunshine to arrange for the execution of such an agreement.

Request for Production No. 2. Sunshine objects to this request because it is vague, overly broad and unduly burdensome and seeks documents that are irrelevant to any issue in this case. Sunshine requests that the Citizens clarify and narrow this request by identifying the specific time period for which documents are requested.

Request for Production No. 3. Sunshine objects to this request as irrelevant to any issue in this case. No timely objections were raised to the Commission's proposed agency action in this case relating to Mrs. Clarise G. Hodges. Accordingly, the Commission's proposed agency action as it relates to Mrs. Hodges is deemed stipulated pursuant to Section 120.80(13)(b), Florida Statutes.

Request for Production No. 4. Sunshine objects to this request because it is vague, overly broad and unduly burdensome and seeks documents that are irrelevant to any issue in this case. Sunshine requests that the Citizens clarify and narrow this request by identifying the specific time period for which documents are requested.

Request for Production No. 5. Sunshine objects to this request as irrelevant to any issue in this case. No timely objections were raised to the

Commission's proposed agency action in this case relating to Mrs. Clarise G. Hodges. Accordingly, the Commission's proposed agency action as it relates to Mrs. Hodges is deemed stipulated pursuant to Section 120.80(13)(b), Florida Statutes.

Request for Production No. 6. Sunshine objects to this request to the extent that it would require Sunshine to reproduce copies of the resumes of Robert C. Nixon, C.P.A. and Harold W. Barrineau. These documents are already in the Citizens' possession because they are exhibits to the prefiled direct testimony of these witnesses. Sunshine further objects to this request to the extent that it would require F. Marshall Deterding to prepare a current resume or curriculum vitae. Information about Mr. Deterding's educational background and professional experience is described in detail in his prefiled direct testimony.

Request No. 7. Sunshine objects to this request because it is vague, overly broad and unduly burdensome and seeks documents that are irrelevant to any issue in this case. Sunshine requests that the Citizens clarify and narrow this request by identifying the specific time period and subject matter for which documents are requested and by defining "workpapers" and "source documents."

Request No. 8. Sunshine objects to this request because it would require Sunshine to reproduce copies of documents already in the Citizens'

possession. The documents requested are exhibits to Sunshine's prefiled direct testimony.

Request No. 9. Sunshine objects to this request because it is vague, overly broad and unduly burdensome and seeks documents that are irrelevant to any issue in this case. Sunshine requests that the Citizens clarify and narrow this request by limiting it to letters of engagement, contracts or agreements relating to a witness testifying on behalf of Sunshine in this case.

Request No. 10. Sunshine objects to this request because it is vague, overly broad and unduly burdensome and seeks documents that are irrelevant to any issue in this case. Sunshine requests that the Citizens clarify and narrow this request by limiting it to correspondence relating to this case.

Request No. 11. Sunshine objects to this request because it would require Sunshine to reproduce documents already in the Citizens' possession and/or already in the public record before the Commission and available to the Citizens through normal procedures.

Request No. 13. Sunshine objects to this request because it is vague. Sunshine requests that the Citizens clarify this request by defining "workpapers" and by specifically identifying the "limited proceeding application" to which the Citizens refer. There were three limited proceeding applications filed in this case: (1) the initial Application for Limited

Proceeding dated December 23, 1999; (2) the Amended Application for Limited Proceeding dated September 8, 2000; and (3) the Second Amended Application for Limited Proceeding dated June 7, 2001.

Request No. 14. Sunshine objects to this request because it would require Sunshine to create a document which does not currently exist.

Request No. 16. Sunshine requests that the Citizens clarify this request by defining “senior managers and executives.”

Request No. 17. Sunshine assumes for purposes of this request that “DER” means the Florida Department of Environmental Protection (“DEP”). Sunshine objects to this request as irrelevant to any issue in this case. No issue relating to the permitting of Sunshine’s water treatment plants was raised in the protests to the Commission’s proposed agency action in this docket.

Request No. 19. Sunshine objects to this request to the extent that it would require Sunshine to reproduce copies of documents already in the Citizens’ possession. The documents requested are exhibits to Sunshine’s prefiled direct testimony.

Request No. 20. Sunshine objects to this request to the extent that it would require Sunshine to reproduce copies of documents already in the Citizens’ possession. The documents requested are exhibits to Sunshine’s prefiled direct testimony.

Request No. 22. Sunshine requests that the Citizens clarify this request by defining “source documents.”

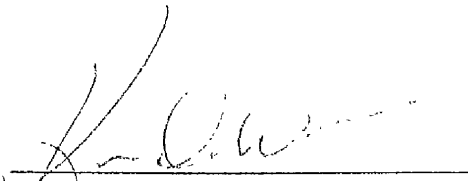
Request No. 24. Sunshine objects to this request as incomprehensible because there not a “note 2 on RCN-2, page 13.” Sunshine requests that the Citizens clarify this request by correctly identifying the portion of Exhibit RCN-2 to which they are referring.

Request No. 25. Sunshine objects to this request because it would require Sunshine to reproduce information already in the Citizens’ possession. The only document responsive to this request is Schedule 6 on page 10 of Exhibit RCN-2, which shows that the grant money of \$682,570 is accounted for as Contributions in Aid of Construction.

Request No. 26. Sunshine objects to the last sentence of this request because it is not a request for production of documents, but an interrogatory.

Request No. 30. Sunshine objects to this request to the extent that it would require Sunshine to create documents which do not currently exist.

Respectfully submitted,

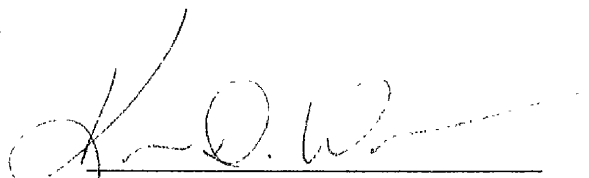


D. Bruce May
Florida Bar No. 354473
Karen D. Walker
Florida Bar No. 0982921
Holland & Knight LLP
Post Office Drawer 810
Tallahassee, Florida 32302
(850) 224-7000

**Attorneys for Sunshine Utilities of
Central Florida, Inc.**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by hand delivery to Ralph Jaeger, Esquire, Florida Public Service Commission, Division of Legal Services, Room 370, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 and Stephen C. Reilly, Associate Public Counsel, Office of Public Counsel, c/o The Florida Legislature, 111 West Madison Street, Room 812, Tallahassee, Florida 32399-1400 all on this 9th day of August, 2002.



Karen D. Walker